



STATE OF NEVADA  
**STATE CONSERVATION COMMISSION**  
901 South Stewart Street, #5004  
Carson City, Nevada 89701  
Phone (775) 684-2760 - Fax (775) 684-2761

## **MINUTES**

### **State Conservation Commission**

Friday, April 27, 2007

Department of Conservation and Natural Resources at the  
Richard H. Bryan Building, 901 S. Stewart Street,  
2<sup>nd</sup> floor Hearing Room, Carson City, NV 89701

**The State Conservation Commission considered and acted on the following items on April 27, 2007 at 10:00am:**

**Board Members Present:** Keith Whipple – Lincoln County CD, Commission Chairman; Howard Glancy – Dayton Valley CD; Joe Sicking – Paradise/Sonoma CD, Commission Vice-Chairman; Vance Vesco – Big Meadow CD; Edward K. Foster, Regional Manager/Plant Industry - NV Department of Agriculture; Judy Currier – CD of Southern Nevada by speaker phone.

**Board Members Absent:** Dr. Rangesan Narayanan – Associate Dean UNR Department of Agriculture;

**Others Present:** Pamela B. Wilcox, Executive Secretary – NV Division of Conservation Districts; Kelly McGowan – NV Division of Conservation Districts; Sandi Gotta – NV Division of Conservation Districts; Shanea Evans – NV Division of Conservation Districts; Chris Freeman, Vice-President – Nevada Association of Conservation Districts; Richard Vigil, State Conservationist – Natural Resources Conservation Service; Allen Biaggi, Director – NV Department of Conservation and Natural Resources; Bob Conrad, Department Communications Officer – NV Department of Conservation and Natural Resources; Gary Back, Northeastern Nevada Stewardship Group; Roger Van Valkenburg, Farm Service Agency, Peggy Hughes, Natural Resources Conservation Service; Barbara Perlman-Whyman, Nevada-Tahoe Conservation District and Nevada Association of Conservation Districts – Urban Committee; Robin Powell, Nevada Director of Bird Conservation, Lahontan Audubon Society.

#### **I. CALL TO ORDER**

- A. Chairman Keith Whipple called the meeting to order at 10:00am. Introductions were made of those present.

#### **II. REVIEW AND APPROVAL OF AGENDA - \*ACTION\***

- A. After reviewing the agenda, Joe Sicking made a motion to approve the agenda. Howard Glancy seconded the motion, motion passed. The Commission acknowledged that there are a number of guest speakers and that agenda items may be taken out of sequence to accommodate those guests.

### **III. REVIEW, AMENDMENT AND APPROVAL OF MINUTES - \*ACTION\***

- A. After reviewing the minutes from the January 26, 2007 State Conservation Commission Meeting, Joe Sicking made a motion to approve the minutes. Howard Glancy seconded the motion, motion passed.

### **IV. PUBLIC COMMENTS**

- A. No Public Comments

### **V. REPORTS TO THE COMMISSION**

- A. Status of the Division of Conservation Districts
  - 1. Fiscal Report – Pamela B. Wilcox –
    - a. There are 2 months left in Fiscal Year 2007. Almost all of the money in the Budget for the Fiscal Year will be spent.
    - b. The Budget for the new year was submitted as a flat budget; however agencies have authority to reallocate funds. This enabled the Division to increase In-State and Out-of-State travel funds. The Governor's office requested minor budget cuts. The Division lost funding for new equipment.
  - 2. Conservation Districts Meeting Logs – Kelly McGowan and Sandi Gotta –
    - a. Minute and Agenda Logs – these logs are available on the website and are updated weekly. There has been a legend added to each page of the Minute and Agenda log. The legend is as follows: "D" - Draft copy, "F" – Final copy, "E" - Elections and a Blank cell indicated that the Division of Conservation Districts has nothing on file for that month.
    - b. In addition, there will be a spreadsheet that includes: the dates that the budgets, annual work plans, draft and final financial reports, annual reports, election forms, and previous fiscal year financial and annual reports were received. This will allow Districts to know what reports the Division has on file.
  - 3. General/Correspondence – Kelly McGowan and Sandi Gotta –
    - a. In accordance with NRS 548, Districts are required to have an annual Audit of their incomes and expenses.

### **VI. REPORTS TO THE COMMISSION**

- A. Department of Conservation and Natural Resources – Allen Biaggi
  - 1. April 27<sup>th</sup> is the 50<sup>th</sup> Anniversary of the Department of Conservation and Natural Resources.
  - 2. Senator Harry Reid's Bill SB462 – this bill would ratify the Owyhee Water Agreement. This is an agreement between the United States, State of Nevada, and the Paiute-Shoshone Indian tribe of the Duck Valley Indian Reservation. This agreement has been discussed over the last 10 years; it was formalized in December 2006. The Department of the Interior, Bureau of Indian Affairs, closed the bill; they felt that the cost of the settlement was too high for the Federal Government.
  - 3. The Water Importation Project in Southern Nevada – approximately two weeks ago, Tracy Taylor, State Engineer, made a decision regarding Spring Valley. He granted 60,000 acre feet of water in Spring Valley, and 40,000 acre feet can begin to be pumped in 5 years after baseline studies. The remaining 20,000 acre feet can be pumped in the future. The predicted timeline for water importation to begin moving through the pipeline from White Pine County through Lincoln County to Clark County is approximately 5 to 7 years.
  - 4. Hearings for water importation from Nye, Lincoln, and White Pine Counties will begin in December 2007, and January and February 2008.
  - 5. In the Governor's State of the State Address, he outlined \$2 million for the State Engineer and the Desert Research Institute (DRI) to cooperatively conduct ground water Basin Studies within the State.

6. Legislative Agenda and Update:

a. Mercury:

- a. A bill has been introduced to place a limit on mercury emissions in the State. The bill has been amended to governing mercury emissions from mining activities in the State.
- b. Mercury storage in Hawthorne – approximately 4200 tons of mercury will be stored at the Hawthorne Army Depot. The storage was to begin in April 2007, but it has been delayed 30-60 days due to problems at the storage site and the placement of fire suppression systems.

b. Water:

- a. Water Penalties – could be assessed and enforced if someone is over pumping their water allocation.
- b. Timeline of hearing protests will be changed
- c. The roles and duties of the State Engineer have been discussed and some modifications might be made.
- d. The proposed Oversight Board for the State Engineers office will not be formed.

c. Greenhouse Gases:

- a. The Governor has organized a climate-change committee
- b. There is a bill in legislature sponsored by Senator Dina Titus, which would setup a greenhouse gas registry.

d. Eminent Domain Bills:

- a. There are several Eminent Domain bills that have been introduced.

e. Public Records Law:

- a. This will dictate to the State Agencies when they have to provide for public information requests and assess penalties to state agencies that do not comply.

f. State Parks:

- a. There is a proposal for a new State Park outside of Tonopah. Due to budget constraints, there is a possibility that it will be put on hold.

g. Off Highway Vehicles (OHVs):

- a. This new program would require some new fees; however, Governor Gibbons has been firm on his “no new fees” policy.

h. Division of Forestry:

- a. Issue of how Fire Districts are created and established. This will streamline the process of determining how the Fire Districts are created.
- b. Forest Health – primarily the Mt. Charleston and Spring Mountains.

i. Eco-system Restoration Money:

- a. There is a bill that proposes \$5 million for the Truckee River and \$5 million in Southern Nevada the Species Habitat Conservation. This has now been modified to \$5 million for Washoe County.

B. Department of Agriculture – Edward K. Foster

- 1. Red Diesel – this is replacing the regular diesel used in farming operations. Red Diesel cannot be used for highway travel.
- 2. There is a new Director for the Department of Agriculture. Her name is Donna Rise. She was with the Montana Department of Agriculture for 18 years. Ms. Rise will be starting on May 14<sup>th</sup>.
- 3. In the Plant Industry Division, a new seed analyst has been hired. His name is Steve Marty.
- 4. Mormon Crickets – surveys and plot maps have been taken of the known areas of gestation.

- C. University of Nevada, Reno – Dr. Rangesan Narayanan – Not Present – No report was given.
- D. Natural Resources Conservation Service –Richard Vigil
  - 1. Ann Wright, Senior Policy Advisor on Agriculture for Senator Harry Reid in Washington D.C. was in Reno, NV to visit with NRCS in March. Ms. Wright and NRCS visited the Great Basin Plant Materials Center in Fallon, NV. Ms. Wright is planning another trip to help her become more aware of some of the challenges that Nevada faces.
  - 2. The NRCS Human Capital Strategic Plan 2006-2010 is now available from NRCS. It is the companion to the NRCS Agency's National Strategic Plan.
  - 3. NRCS appropriated money to Elko County for fire assistance.
  - 4. The NRCS Efficiency Plan was mailed out March 30, 2007. This was a national requirement of all States to put together a State Efficiency Plan. NRCS Nevada was asked to reduce their overhead by 1%. There was also an increase in staffing; there were approximately 6 new hires. By the year 2010, 20 people with NRCS Nevada will be eligible for retirement; 12 will be eligible out of the NRCS State Office in Reno. There are only 87 NRCS employees in the State of Nevada.
  - 5. NRCS along with other agencies is looking into a watershed approach to establish new boundaries for its programs.
  - 6. The Rocky Mountain Elko Foundation and NRCS are working together to create a new frame work to benefit not only elk, but entire eco-systems in Nevada.
  - 7. Due to Federal Agencies being asked to down size, Chris Freemans asked if the downsizing would have any impact on field offices in Nevada and lead to the closing of some of the field offices. Mr. Vigil said that to the best of his knowledge, and reviewing the current budget, he doesn't foresee or expect any office closures. However, that can all change. Mr. Vigil made reference to an article by Secretary Johanns where he stated that by 2008; NRCS will have a decrease of 1,976 employees.
  - 8. Districts have had some concern regarding the staffing situation for NRCS. There are numerous vacant positions and many of those positions remained unfilled. Mr. Vigil gave two reasons these positions have not been filled, lack of applicants and NRCS does not have the Budget to fund these positions.
  - 9. A few years ago there was a \$100,000 Conservation Innovation Grant, used for water conservation and/or weeds that was provided by NRCS that the Districts were able to apply for. Kelly McGowan asked where the money had come from, and would an opportunity like that be available in the future. Mr. Vigil believes that it was a one-shot lump sum of money, but it will be researched.
- E. Farm Service Agency – Roger Van Valkenburg
  - 1. Emergency Conservation Program
    - a. Flooding – counties in the western part of the State – irrigating structures, etc. – approximately \$200,000 was allocated.
    - b. Eureka and Elko Counties for fire restoration – approximately \$250,000 was allocated.
- F. Nevada Association of Conservation Districts – Chris Freeman, Vice-President
  - 1. On behalf of NvACD President Pasty Tomera, Vice-President Chris Freeman updated the State Conservation Commission on the status of the Association.
  - 2. The National Association of Conservation Districts (NACD) National Annual meeting will be in Reno, NV February 2008.
  - 3. The Southern Area meeting was April 20, 2007.
  - 4. The Western Area meeting was March 19, 2007.

## **VII. OLD BUSINESS**

- A. Legislative Session – Pamela B. Wilcox

1. May 18<sup>th</sup> – This is the deadline for any bills that are pending; the bills have to pass Committee in the Second House. If they do not pass the bill dies. On May 25<sup>th</sup>, every bill has to pass or die in the Second House. Bills that are labeled Fiscal Exemption are exempt from these deadlines.
2. Bills being Tracked by the Division:
  - a. AB 466: this bill makes an appropriation to the State Conservation Commission of the State Department of Conservation and Natural Resources for distribution to conservation Districts. This is the bill that will double the funding to Conservation Districts. This bill has a notice of exemption.
  - b. SB488: this bill makes an appropriation to the State Department of Agriculture for control or abatement of weeds in this State. This bill has a notice of exemption.
  - c. SB87: this bill provides for audits by Legislative Auditor of entities which are not state agencies but which receive appropriation of public money. This bill is in the Committee on Elections, Procedures, Ethics and Constitutional Amendments.
  - d. AB142: this bill makes various changes concerning ethics in government. This bill would require a public officer who is required to file a statement of financial disclosure, shall within 6 months of his initial election or appointment to his office attend a course on ethics in government that is taught or otherwise conducted by the Commission on Ethics.
  - e. SB505: this bill requires a portion of the proceeds of the basic governmental service tax to be deposited with the State Treasurer for credit to the Trust Fund for the control of weeds.
- B. NRCS Transportation Update – Sandi Gotta **\*ACTION\***
  1. No action was taken at this time. Staff will request a meeting with Richard Vigil, Maggie Liebel - contracting officer for NRCS and NRCS staff for further discussion on the Cooperative Operation Agreement written by NRCS.
- C. Discussion of different methods and ideas to help Districts be more efficient in getting reports in on time - **\*ACTION\***
  1. No action was taken at this time. The Commission and staff requested that this item be put on the next agenda.

## VIII. NEW BUSINESS

- A. Northeastern Nevada Stewardship Group – Demonstration Plots – Gary Back
  1. PowerPoint Presentation is available on the Division of Conservation Districts Website on the Forms page at: <http://www.dcd.nv.gov/forms.htm>.
- B. Audubon Society – Robin Powell, Nevada Director of Bird Conservation
  1. PowerPoint Presentation is available on the Division of Conservation Districts Website on the Forms page at: <http://www.dcd.nv.gov/forms.htm>.
- C. Conservation Management Website – Kelly McGowan
  1. This item was held for a future commission meeting due to time constraints.

## IX. STAFF ITEMS – Division Staff Comments

- A. There were no Staff Items to be covered.

## X. COMMISSIONER ITEMS

- A. There were no Commissioner Items to be covered.

## XI. PUBLIC COMMENTS

- A. Barbara Perlman-Whyman – Urban Conservation
  1. Ms. Perlman-Whyman is serving on the NACD Urban Committee, and is leading NvACD's Urban Committee.

2. Ms. Perlman-Whyman hopes to encourage Urban Conservation efforts throughout the state, in both urban and rural districts.
3. It is her belief that all areas will experience the effect of urbanization and the effect it will have on natural resources.

**XII. NEXT COMMISSION MEETING - \*ACTION\***

A. Set time and place.

1. The next Commission meeting has been set for June 13, 2007, in Fallon, Nevada at 12:00pm, with a possible tour starting at 10:00am.

B. Agenda Items:

1. Discussion of different methods and ideas to help Districts be more efficient in getting reports in on time.
2. Conservation Management Website.
3. Audits – send reminder to Districts to get an annual audit.

**XIII. ADJOURNMENT - \*ACTION\***

- A. Joe Sicking made a motion to adjourn the meeting. Vance Vesco seconded the motion, motion passed.

Respectfully submitted,

Shanea Evans  
Administrative Assistant II  
NV Division of Conservation Districts